

1 JOHN L. BURRIS, Esq./ State Bar #69888
2 BENJAMIN NISENBAUM, Esq./State Bar #222173
3 LAW OFFICES OF JOHN L. BURRIS
4 Airport Corporate Centre
5 7677 Oakport Street, Suite 1120
6 Oakland, California 94621
7 Telephone: (510) 839-5200
8 Facsimile: (510) 839-3882

9 Attorneys for Plaintiffs

10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 ANNIE LEWIS, individually, and as Administrator of the
13 Estate of GREGORY LEWIS, and as the Guardian Ad
14 Litem of DEMARIO LEWIS; DEANDRE LEWIS and
15 DELORENZO LEWIS, by and through their Guardian ad
16 Litem, CHRISTINE BENJAMIN,

17 Plaintiffs,

18 vs.

19 CITY OF HAYWARD, a municipal corporation; CRAIG
20 CALHOUN, in his capacity as Chief of Police for the
21 CITY OF HAYWARD; R. FARRO, individually and in
22 his capacity as an officer for the CITY OF HAYWARD;
23 A. NGUYEN, individually and in his capacity as an officer
24 for the CITY OF HAYWARD; E. MULHERN,
25 individually and in his capacity as an officer for the CITY
26 OF HAYWARD; C. MARTINEZ, individually and in his
27 capacity as an officer for the CITY OF HAYWARD; E.
28 HUTCHINSON, individually and in his capacity as an
officer for the CITY OF HAYWARD; J. WAYBRIGHT,
individually and in his capacity as an officer for the CITY
OF HAYWARD; R. SAPPINGTON, individually and in
his capacity as an officer for the CITY OF HAYWARD;
D. OLSON, individually and in his capacity as an officer
for the CITY OF HAYWARD; J. BRYAN, individually
and in his capacity as an officer for the CITY OF
HAYWARD; R. KEENER, individually and in his
capacity as an officer for the CITY OF HAYWARD; and
DOES 1-100, inclusive,

Defendants.

Case No. C 03 05360 (CW)

NOTICE OF SETTLEMENT

1 TO THE COURT AND PARTIES in the above-entitled action:

2 The parties in the above-entitled action have entered into a settlement of all causes of action.
3 The settlement remains contingent upon approval of the Hayward City Council. The parties therefore
4 request that future court dates in this action be vacated from the Court's calendar, and that the matter
5 be continued for sixty (60) days for dismissal. Plaintiffs will file a petition for minors' compromise
6 in the intervening time.

7 Plaintiffs shall dismiss this action with prejudice upon performance of the settlement
8 agreement, which is expected to occur within sixty (60) days.

9
10 Respectfully submitted,

11
12
13 Dated: March 23, 2006

14 /S/
15 Ben Nisenbaum
16 Attorneys for Plaintiffs
17 Annie Lewis, et al.
18
19
20
21
22
23
24
25
26
27
28